

**APPLICATION (Revised December 2008)**  
**TWENTY-FIRST CIRCUIT JUDICIAL COMMISSION**  
**CIRCUIT JUDGE**

**RESPONSE TO THESE QUESTIONS WILL BE MADE PUBLIC IF THE APPLICANT IS  
SELECTED AS A NOMINEE.**



NAME: Joseph S. Dueker

1. State your present principal occupation: Associate Chief Trial Attorney, Office of the Prosecuting Attorney, St. Louis County, Missouri
2. Are you at least 30 years of age? Yes.
3.
  - (a) How long have you been a citizen of the United States? 43 years.
  - (b) Have you been a resident of St. Louis County for at least one year immediately prior to the date of this application? Yes.
  - (c) How long have you been a qualified voter of Missouri? 25 years.

4. Are you licensed to practice law in Missouri? Yes.

List any other states, courts, or agencies in which you are licensed as an attorney:

5. State the date you were admitted to the Bar in Missouri? October 1992.

Missouri Bar Number: 40288

(In completing items 6 and 7, please account for all time periods between post-high school education and the date of this application.)

6. State the name and address of all colleges and universities you have attended, together with the dates and degrees received:

University of Richmond, 28 Westhampton Way, Richmond, VA 23173  
B.A. Economics/History, *Cum Laude*, May 1989

Saint Louis University School of Law, 3700 Lindell Blvd., St. Louis, MO 63108  
J. D., May 1992

7. State, in chronological order, your entire working career, including non-legal employment, if any. Include the name and address of each firm, corporation, partnership, or governmental body with which you have been associated, and the dates thereof. (Start with earliest date, conclude with present.)

Transfiguration School, 12555 Partridge Run Drive, Florissant, MO 63033;  
laborer, Summer 1986

Metropolitan Sewer District, 2000 Hampton, St. Louis, MO 63139; laborer,  
Summer 1985; accounting clerk, Summers 1987, 1988 and 1989

Godfrey, Dunne & Smallwood, One Boatmen's Plaza, Ste. 1600, 8<sup>th</sup> and Olive, St.  
Louis, MO 63101; law clerk, May 1990 – May 1991

Land of Lincoln Legal Assistance Foundation, Inc., 413 East Broadway, Alton, IL  
62002; law clerk, May 1991 – May 1992

Rabbitt, Pitzer & Snodgrass, P.C., One Boatmen's Plaza, 800 Market St., Ste.  
2300, St. Louis, MO 63101; Associate, August 1992 – March 1993

St. Louis County Prosecuting Attorney's Office, 100 South Central, 2<sup>nd</sup> Floor,  
Clayton, MO 63105; Assistant Prosecuting Attorney, March 1993 – August 2008;  
Associate Chief Trial Attorney, August 2008 – present.

8. If you are presently an associate circuit judge and have served for two years or longer, attach a list of ten significant cases over which you presided to completion. Set forth the style, cause number, date and name and current address of the primary attorneys participating in each case, identifying the party each attorney represented. Indicate whether bench or jury tried and give a one to three sentence description of each case and its outcome.
- (b) In addition, you may attach a list of cases you tried as an attorney in the last five years before becoming a judge. Set forth the style, cause number, date and jurisdiction and identify who you represented, whether you were first or second chair and the name and address of opposing counsel. State for each case whether bench or jury tried and give a one to three sentence description of each case and its outcome.
9. Are you able, with or without a reasonable accommodation, to perform the essential functions of a judge including the ability to preside over trials, perform legal research, attend court anywhere in the state, communicate clearly and effectively both orally and in writing, and expeditiously decide issues coming before the court? Yes.
10. If you have never served as an associate circuit judge or have served for fewer than two years, attach a list of cases you have tried in the last five years. Set forth the style, cause number, date, and court, and identify who you represented, whether you were first or second chair, and the name and address of opposing counsel. Indicate for each case whether bench or

jury tried and provide a one to three sentence description of each case and its outcome. If, during any of the last five years, you served as a commissioner or in any other judicial capacity, set forth the dates of same and a description of the duties performed. See attached.

11. Have you briefed or argued any case in an appellate court? Yes.  
If yes, attach a list showing the citation for each case and describe the extent of your participation in briefing and arguing the case. See attached.
12. Set forth any additional information that demonstrates the quality of your legal work as an attorney.

Promoted to Associate Chief Trial Attorney, 2008 – present  
Supervise 8 attorneys who represent the State of Missouri on all criminal matters pending in Associate Circuit Court including bond motions, plea agreement recommendations, misdemeanor trials, felony preliminary hearings, traffic and Department of Revenue Petition for Review hearings.

Assigned to Sexual Assault Team for over 10 years, 1997 – 2008  
Reviewed arrest warrant applications, prepared search warrants, drafted pleadings, interviewed child and adult victims and witnesses, drafted motions, argued motions and prosecuted defendants in cases involving rape, sodomy, sexual assault, deviate sexual assault, child molestation, sexual misconduct, child enticement, child abuse, elder abuse and child pornography.

In addition to the trials listed in 10 (see attachment) above, numerous other felony and misdemeanor bench and jury trials as both first and second chair.

Represented the State of Missouri from arrest warrant through guilty plea in cases involving murder, manslaughter, assault, robbery, kidnapping, domestic assault and sexual offenses.

State v. Darren Lindley, 04CR-003844 (defendant raped and sodomized his neighbor's two-year old daughter); defendant sentenced to multiple consecutive life sentences.

Assigned Special Prosecuting Attorney in cases in the Circuit Court of the City of St. Louis and the Circuit Court of Jefferson County

Saint Louis University School of Law, Moot Court "Best Brief" Award, 1991

13. Have you ever been convicted of a misdemeanor or felony? No.  
  
If yes, provide details, including the style of the case, cause number, name of the jurisdiction, and date of conviction:
14. Have you ever been sued by a client or been a party to any other litigation, other than as

guardian ad litem, plaintiff ad litem or defendant ad litem? No.

If yes, provide details, including the style of the case, cause number, name of the jurisdiction and the approximate year in which such litigation was commenced and in which it was terminated:

15. Have you ever been disciplined or cited for breach of ethics or professional conduct by a court or by any bar association or committee thereof? No.

If yes, provide details:

16. Have you ever been held in contempt of court? No.

If yes, provide details:

17. If you are or were a member of the Judiciary of the State of Missouri, please state:

- (a) Whether an order of reprimand, removal, retirement, suspension or other disciplinary action has ever been entered against you by the Supreme Court of Missouri for breach of the Code of Judicial Conduct or the Canons of Judicial Conduct?

If yes, state the nature of such breach, the date discipline was imposed and the exact nature and duration of the discipline imposed:

- (b) Whether a reprimand or admonishment has ever been entered against you by the Commission on Retirement, Removal and Discipline for any of the causes specified in Rule 12.07 of the Supreme Court Rules Governing the Judiciary.

If yes, provide details including date the order was entered, the date of your consent, and a description of the conduct you were ordered to cease and desist:

- (c) Whether, to your knowledge, you have been a subject of a complaint and investigation by the Commission on Retirement, Removal and Discipline, which did not result in any action by the Commission? If yes, provide details:

18. To your knowledge, have you been investigated by a court or by any bar association or committee thereof for breach of ethics or professional conduct? No.

If yes, provide details:

19. List all bar associations and other professional societies, of which you are a member, with any offices held and dates:

Missouri Bar, October 1992 – present

20. Describe your community activities, including any organizations, not listed above, with

which you are affiliated:

Christ, Prince of Peach Catholic Church; St. Margaret of Scotland Garage Sale Volunteer

St. Louis Scott Gallagher Soccer Club, youth coach

21. Do you now hold or have you ever held any elective or appointive public office or position?

Yes.

If yes, provide details:


St. Louis County Prosecuting Attorney's Office, 100 South Central, 2<sup>nd</sup> Floor, Clayton, MO 63105; Assistant Prosecuting Attorney, March 1993 – August 2008; Associate Chief Trial Attorney, August 2008 – present.

22. Provide the branches and dates of (a) military service, or (b) other public service, not otherwise covered in this application. If discharged from the military, was the discharge other than honorable? If military service continues, so state:
23. List any professional articles or books which have been published or any special recognition or award of a professional nature which you have received:
24. Furnish the names and addresses, including zip codes and telephone numbers of not more than five persons, who are not judges, as references with respect to your judicial qualifications:

Robert P. McCulloch  
St. Louis County Prosecuting Attorney  
100 So. Central, 2<sup>nd</sup> Floor  
Clayton, MO 63105  
314-615-2600

Gerald R. Ortvals  
Attorney at Law  
Bryan Cave LLP  
One Metropolitan Square  
211 North Broadway, Suite 3600  
St. Louis, MO 63102-2750  
314-259-2000

DATE: 2-23-10

SIGNED: A handwritten signature in black ink, appearing to read 'John A. ...' with a stylized, cursive script.

Timothy Devereux  
Attorney at Law  
130 S. Bemiston Ave.  
Clayton, MO 63105  
314-726-6500

Lisa Jones  
Program Manager, Victim Services Division  
St. Louis County Prosecuting Attorney's Office  
7900 Carondelet Ave.  
Clayton, MO 63105  
314-615-2600

John P. Rogers  
Attorney at Law  
Rosenblum, Schwartz, Rogers & Glass PC  
120 South Central Ave., Suite 130  
Clayton, MO 63105  
314-862-4332

25. State any additional data you deem relevant:

Married with two children.

University of Richmond  
NCAA Division I, Soccer  
Scholar-Athlete Award, 1989  
University Presidential Citation, 1989

By my signature to this application, I authorize: (1) the Commission by its chairperson to obtain relevant information, including but not limited to documents, records and files with respect to my medical, police or disciplinary records, and (2) the Commission and its members to obtain additional relevant information regarding my qualifications as well as the accuracy of my responses to the questions on this application, with the understanding that the information described in (1) and (2) above is available only to the members of the Twenty-First Circuit Judicial Commission. Notwithstanding the above, in accordance with Supreme Court Rule 10, as amended effective February 29, 2008, if I am one of the three nominees listed on the certificate of nomination sent to the Governor, I authorize the Commission to send a complete copy of this application to the Governor and publicly release a copy of the application with personal and confidential information redacted as identified on the cover page of this application.

I hereby certify that all my statements as made above are correct and that if I am appointed to the office of Circuit Judge of the Circuit Court of St. Louis County, I will accept the appointment, qualify, and promptly enter upon the performance of the duties of that office.

10.

State v. Gregory Bowman, 07CR-532; October 2009; St. Louis County Circuit Court; The Honorable David Lee Vincent, III. I was first chair and represented the State of Missouri. Stephen Evans, 8000 Maryland Ave., Suite 640, Clayton, MO 63105, was opposing counsel. Jury trial. The defendant abducted and murdered a 16 year-old girl in June 1977. The case remained unsolved until 2007 when DNA analysis linked the defendant to the crime. The defendant also murdered two women and assaulted three women in Illinois in the 1970s. The jury found the defendant guilty of Capital Murder and returned a verdict of Death after the penalty phase.

State v. Dwayne Wingo, 05CR-5207, June 2009; St. Louis County Circuit Court; The Honorable Robert Cohen. I was second chair and supervised the first chair attorney; we represented the State of Missouri. The defendant ultimately represented himself but Annette Llewellyn, 1114 Market St., Ste. 602, St. Louis, MO 63101, assisted as standby counsel. Jury trial. The defendant robbed a fast food restaurant by passing a threatening note to a restaurant employee. The jury found the defendant guilty of Robbery in the First Degree and the Court later sentenced the defendant to 26 years imprisonment in the Missouri Department of Corrections.

State v. Rolondo Colon, 02CR-4428; May 2009; St. Louis County Circuit Court; The Honorable Richard Bresnahan. I was first chair and represented the State of Missouri. Richard Sindel, 8000 Carondelet, Ste. 301, Clayton, MO 63105, was opposing counsel. Jury trial. The State charged the defendant in 2002 with two counts of Forcible Rape. The victim was the ex-girlfriend of the defendant's friend. The offenses occurred at the victim's residence following the defendant's overnight visit. The trial did not occur until 2009 because the defendant was a serviceman stationed in Iraq. The jury found the defendant not guilty.

State v. Dwayne Wingo, 05CR-5207; April 2009; St. Louis County Circuit Court; The Honorable Robert Cohen. I was first chair and represented the State of Missouri. Annette Llewellyn, 1114 Market St., Ste. 602, St. Louis, MO 63101, was opposing counsel. Jury trial. This case was severed from the above-named robbery but remained under the same cause number. The defendant approached a fast food employee at the drive-thru and threatened to shoot him unless the employee gave him money. The defendant immediately fled the scene but was later sighted in the area by a police officer, who pursued and later arrested him. The jury found the defendant guilty of Robbery in the First Degree and Resisting Arrest and the Court later sentenced the defendant to 24 years imprisonment in the Missouri Department of Corrections.

State v. Melvin Clark, 07CR-1096; March 2009; St. Louis County Circuit Court; The Honorable Maura McShane. I was first chair and represented the State of Missouri. Nancy Pew, 100 South Central, Clayton, MO 63105, was opposing counsel. Jury trial. The defendant developed a two-month sexual relationship with his girlfriend's 12 year-old daughter. The jury found the defendant guilty of Statutory Rape in the First Degree and Statutory Sodomy in the First Degree and the Court later sentenced the defendant to 25 years imprisonment in the Missouri Department of Corrections.



State v. David Schoonover, 07SL-CR03323; December 2008; St. Louis County Circuit Court; The Honorable James Hartenbach. I was first chair and represented the State of Missouri. Sarah Lambright, 100 South Central, Clayton, MO 63105, was opposing counsel. Jury trial. The defendant molested his 5 year-old nephew. The jury found the defendant guilty of Statutory Sodomy in the First Degree and the Court later sentenced the defendant to 15 years imprisonment in the Missouri Department of Corrections.

State v. Donald Hardy, 07SL-CR03168, September 2009; St. Louis County Circuit Court; The Honorable Lawrence Permuter. I was second chair and supervised the first chair attorney. We represented the State of Missouri. Donnell Smith, 1945 Woodson Rd., St. Louis, MO 63114, was opposing counsel. Jury trial. The defendant was the Police Chief of the City of Kinloch. He gave a law enforcement badge to a civilian associate of the Kinloch Police Department. The civilian did not hold a valid peace officer license at the time. The jury found the defendant not guilty of Knowingly Granting/Continuing Peace Officer Commission without a Valid License.

State v. Lester Krupp, 07CR-434; April 2008; St. Louis County Circuit Court; The Honorable Colleen Dolan. I was first chair and represented the State of Missouri. Travis Noble, 8000 Carondelet Ave, Ste. 301, Clayton, MO 63105, was opposing counsel. Jury trial. The defendant posed as a modeling agent/photographer and sexually assaulted two young women. The jury found the defendant guilty of Felonious Restraint, Sexual Misconduct in the First Degree and multiple counts of Deviate Sexual Assault. The Court sentenced the defendant to 15 years imprisonment in the Missouri Department of Corrections.

State v. Kashmir Newell, 06CR-1422; September 2007; St. Louis County Circuit Court; The Honorable James Hartenbach. I was first chair and represented the State of Missouri. Linda Jarman, 111 Church St., Suite 207, St. Louis, MO 63135, was opposing counsel. Jury trial. The defendant, 18, had the 13 year-old victim perform oral sex on him at her home. The jury found the defendant guilty of Statutory Sodomy in the First Degree and recommended a sentence of 5 years imprisonment in the Missouri Department of Corrections.

State v. Wendell Adams, 05CR-1660; August 2006; St. Louis County Circuit Court; The Honorable Steven Goldman. I was first chair and represented the State of Missouri. Paul Yarns, 100 South Central, 2<sup>nd</sup> Floor, Clayton, MO 63105, was opposing counsel. Jury trial. The defendant met the victim at a nightclub and they left together. The defendant strangled the victim to death in her truck. He tried to set the truck on fire. Investigation led to the defendant and circumstantial evidence, including DNA, connected him to the crime. The jury found the defendant guilty of Murder in the First Degree, Knowingly Burning or Exploding and Tampering with Physical Evidence. The Court later sentenced the defendant to Life Imprisonment in the Missouri Department of Corrections without eligibility for probation or parole.

State v. Lawyer Lewis, 05CR-001063; September 2005; St. Louis County Circuit Court; The Honorable Colleen Dolan. I was second chair and supervised the first chair attorney. We represented the State of Missouri. Kyle Winston, 5784 Kingsbury, St. Louis, MO 63112, was opposing counsel. Jury trial. The defendant sold cocaine to an undercover police officer. The jury found the defendant guilty of Delivery of a Controlled Substance and the Court later sentenced the defendant to 5 years imprisonment in the Missouri Department of Corrections.

State v. Rico Bracy, 04CR-1194; May 2005; St. Louis County Circuit Court; The Honorable Emmett O'Brien. I was first chair and represented the State of Missouri. Daniel Reardon was opposing counsel. Jury trial. The police curbed the defendant for a traffic violation. The defendant was intoxicated, failed all field sobriety tests and refused to submit to a breath test. He had at least two prior DWI offenses. The jury found the defendant guilty of Driving While Intoxicated – Persistent Offender, and the Court later sentenced the defendant to 3 years imprisonment in the Missouri Department of Corrections.

Here are some other cases that I have tried:

State v. Larry Miller, 03CR-1757; December 2004; St. Louis County Circuit Court; The Honorable Larry Kendrick. I was first chair and represented the State of Missouri. Bradford Kessler and Kim Freter, 8000 Bonhomme, Ste. 112, Clayton, MO 63105, were opposing counsel. Jury trial. The victim was with his 4 year-old daughter when the defendant robbed him of his motor vehicle at gunpoint. The victim also had a handgun and exchanged gunfire with the defendant. The defendant fatally shot the victim and fled in the victim's car. Undercover police officers who were in the area pursued the defendant on a high speed chase and exchanged gunfire with him. The jury found the defendant guilty of Murder in the Second Degree, Robbery in the First Degree, Assault in the First Degree and multiple counts of Armed Criminal Action. The Court later sentenced the defendant to consecutive terms of Life Imprisonment in the Missouri Department of Corrections.

State v. Barry Baker, 00CR-4166; March 2003; St. Louis County Circuit Court; The Honorable Larry Kendrick. I was first chair and represented the State of Missouri. Teoffice Cooper and Cynthia Dryden, Capital Litigation Division, 1221 Locust, Ste. 410, St. Louis, MO 63103, were opposing counsel. Jury trial. The 18 year-old defendant shot his girlfriend and raped her; shot and killed his girlfriend's friend; and, shot a responding police officer. The State sought Death. The jury found the defendant guilty of Murder in the First Degree but was unable to agree on punishment. Following litigation before the Missouri Supreme Court, the Court sentenced the defendant to Life Imprisonment in the Missouri Department of Corrections without eligibility for probation or parole.

State v. Lajuan Hayes, 01CR-3634; July 2002; St. Louis County Circuit Court; The Honorable Colleen Dolan. I was first chair and represented the State of Missouri. Herman Jimerson, 225 S. Meramec, Suite 508, Clayton, MO 63105, was opposing counsel. Jury trial. The defendant, a drug dealer, stabbed the victim because of a drug debt. The jury found the defendant guilty of Assault in the First Degree and Armed Criminal Action and recommended sentences of 30 years imprisonment and 5 years imprisonment, respectively, in the Missouri Department of Corrections.

State v. Kimber Edwards, 00CR-3704; April 2002; St. Louis County Circuit Court; The Honorable Mark Seigel. I was second chair and represented the State of Missouri. Charles Moreland and Michelle Monahan, Capital Litigation Division, 3402 Buttonwood, Columbia, MO 65201, were opposing counsel. Jury trial. This was a contract killing case. The State of Missouri had previously charged the defendant in a separate criminal matter with Criminal Non-Support. The defendant hired another individual to kill his ex-wife. The jury found the defendant guilty of Murder in the First Degree and returned a verdict of Death after the penalty phase.

State v. Keith Wash, 97CR-2760; May 2002; St. Louis County Circuit Court; The Honorable Maura McShane. I was first chair and represented the State of Missouri. Dorothy Hirzy, 7110 Tulane, St. Louis, MO 63130, was opposing counsel. Jury trial. The defendant had sexual intercourse with his girlfriend's 16 year-old daughter. When the case was initially set for trial, the defendant fled the jurisdiction. The jury found the defendant guilty of felony Failure to Appear but was unable to agree upon a verdict for Statutory Rape in the Second Degree. The defendant later pled guilty to Statutory Rape in the Second Degree and the Court sentenced the defendant to concurrent terms of 4 years imprisonment in the Missouri Department of Corrections.

State v. Jeffrey Moody, 00CR-1258; July 2001; St. Louis County Circuit Court; The Honorable Emmett O'Brien. I was first chair and represented the State of Missouri. Kim Freter, 1320 Market, Room 62, St. Louis, Missouri 63103, was opposing counsel. Jury trial. The defendant, a youth minister, befriended a 13 year-old girl who suffered from alcohol and drug addiction. The defendant provided her alcohol and then engaged in sexual intercourse with her. The jury found the defendant guilty of Statutory Rape in the First Degree and the Court later sentenced the defendant to 17 years imprisonment in the Missouri Department of Corrections.

State v. Sanford White, 00CR-3343; May 2001; St. Louis County Circuit Court; The Honorable David Lee Vincent, III. I was first chair and represented the State of Missouri. Felicia Jones, 100 South Central, 2<sup>nd</sup> Floor, Clayton, MO 63105, was opposing counsel. Jury trial. The defendant robbed a convenience store clerk at gunpoint. The jury found the defendant guilty of Robbery in the First Degree and Armed Criminal Action and the Court later sentenced the defendant to 23 years imprisonment in the Missouri Department of Corrections.

State v. Sanford White, 99CR-5269; March 2001; St. Louis County Circuit Court; The Honorable Colleen Dolan. I was first chair and represented the State of Missouri. Bradford Kessler, 8000 Bonhomme, Ste. 112, Clayton, MO 63105, was opposing counsel. Jury trial. The defendant robbed a woman at gunpoint in the basement garage at Frontenac Plaza. The jury found the defendant not guilty.

State v. Wesley Warren, 99CR-1979A; May 2000; St. Louis County Circuit Court; The Honorable Philip Sweeney. I was first chair and represented the State of Missouri. Charles Smith, 3910 Lindell, St Louis, MO 63108, was opposing counsel. Jury trial. The defendant shot at his ex-girlfriend. The jury found the defendant guilty of Assault in the First Degree and Armed Criminal Action and the Court later sentenced the defendant to 17 years imprisonment in the Missouri Department of Corrections.

State v. Keith Day, 99CR-2354; January 2000; St. Louis County Circuit Court; The Honorable Colleen Dolan. I was first chair and represented the State of Missouri. Lucille Liggett, 100 So. Central, 2<sup>nd</sup> Floor, Clayton, MO 63105, was opposing counsel. Jury trial. When police officers responded to an area where individuals were engaged in the illegal sale of narcotics, the defendant ducked behind a motor vehicle. The police investigated and found crack cocaine in a plastic bag on the ground within the defendant's reach. The jury found the defendant guilty of Trafficking in the Second Degree and the Court later sentenced the defendant to 10 years in the Missouri Department of Corrections.

State v. Teran Daniels and Wayne McClendon, 98CR-2982A and 98CR-2982B; June 1999; St. Louis County Circuit Court; The Honorable Barbara Wallace. I was first chair and represented the State of Missouri. Paul Yarns represented Teran Daniels. Sera Serot represented Wayne McClendon. Jury trial. The teenage co-defendants beat up a taxicab driver outside their school. Daniels was found not guilty of Assault in the Second Degree. The jury found McClendon guilty of Assault in the Second Degree and recommended a sentence of 6 months imprisonment in the County Jail. The Court later sentenced McClendon to 6 months imprisonment in the County Jail, but suspended the execution of sentence and placed him on probation for 2 years.

State v. Gregory Jimerson, 98CR-4524; April 1999; St. Louis County Circuit Court; The Honorable John Kintz. I was first chair and represented the State of Missouri. Lucille Liggett, 100 South Central, 2<sup>nd</sup> Floor, Clayton, MO 63105, was opposing counsel. Jury trial. The defendant raped and sodomized his 13 year-old niece on numerous occasions. The jury found the defendant guilty of three counts of Statutory Rape in the First Degree, two counts of Statutory Sodomy in the First Degree, and one count of Child Molestation in the Second Degree. The Court later sentenced the Defendant to 30 years imprisonment in the Missouri Department of Corrections.

State v. Nathaniel Heard, 98CR-5703; March 1999; St. Louis County Circuit Court; The Honorable Bernhardt Drumm. I was first chair and represented the State of Missouri. Donald Gerard, 9909 Clayton Rd., Suite 218, St. Louis, MO 63124, was opposing counsel. Jury trial. The defendant sodomized a four year-old girl, whose mother was an acquaintance of the defendant. The jury found the defendant guilty of Statutory Sodomy in the First Degree. The Court later sentenced the defendant to 10 years imprisonment in the Missouri Department of Corrections, but suspended the execution of the sentence and placed the defendant on probation for 5 years.

State v. Demetrius Wheeler, 98CR-2; December 1998; St. Louis County Circuit Court; The Honorable John Kintz. I was first chair and represented the State of Missouri. Joseph Racine, 112 W. Jefferson, Kirkwood, MO 63122, was opposing counsel. Jury trial. The jury found the defendant not guilty of Robbery in the First Degree.

State v. David Kaiser, 97CR-2785; May 1998; St. Louis County Circuit Court; The Honorable Glenn Norton. I was first chair and represented the State of Missouri. Irl Baris, 1221 Locust, St. Louis, MO 63103, was opposing counsel. Jury trial. The defendant was the victim company's salesman who did not return a company car when his employment was terminated. The jury found the defendant not guilty of Stealing a Motor Vehicle.

State v. David Cotton, 97CR-5201; April 1998; St. Louis County Circuit Court; The Honorable Bernhardt Drumm. I was first chair and represented the State of Missouri. Bradford Kessler, 8000 Bonhomme, Ste. 112, Clayton, MO 63105, was opposing counsel. Bench trial. The defendant killed his wife's lover by driving his car into him. The Court found the defendant guilty of Voluntary Manslaughter and Armed Criminal Action and later sentenced the defendant to 14 years imprisonment in the Missouri Department of Corrections.

State v. David Rasche, 97CR-3677; January 1998; St. Louis County Circuit Court; The Honorable Maura McShane. I was first chair and represented the State of Missouri. Michael Skrien, 100 South Central, 2<sup>nd</sup> Floor, Clayton, MO 63105, was opposing counsel. Jury trial. The

victim and her husband hired the defendant as their residential landscaper. The defendant tried to force her to perform an act of sodomy on him while her husband was not home. The jury found the defendant guilty of Attempted Forcible Sodomy and the Court later sentenced Defendant to 20 years imprisonment in the Missouri Department of Corrections.

State v. Farrad Ali, 97CR-407; July 1997; St. Louis County Circuit Court; The Honorable Robert Campbell. I was first chair and represented the State of Missouri. Justin Meehan, 2734 Lafayette Ave., St. Louis, MO 63104, was opposing counsel. Jury trial. The defendant carried a concealed weapon in the vehicle he was operating but alleged that he did not know it was present. The jury found the defendant not guilty of Unlawful Use of a Weapon (Carrying a Concealed Weapon).

State v. Maurice Tennial, 96CR-518; June 1997; St. Louis County Circuit Court; The Honorable Robert Campbell. I was first chair and represented the State of Missouri. David Horwitz was opposing counsel. Jury trial. The defendant grabbed the victim's purse as they passed each other outside a grocery store. The jury found the defendant not guilty of Robbery in the Second Degree.

State v. Malcolm Jackson, 96CR-4526; April 1997; St. Louis County Circuit Court; The Honorable Maura McShane. I was first chair and represented the State of Missouri. Michael Skrien, 100 South Central, 2<sup>nd</sup> Floor, Clayton, MO 63105, was opposing counsel. Jury trial. The jury found the defendant guilty of three counts of Stealing \$150 or More and the Court sentenced the defendant to 20 years imprisonment in the Missouri Department of Corrections.

State v. Malcolm Jackson, 95CR-4689; March 1997; St. Louis County Circuit Court; The Honorable Maura McShane. I was first chair and represented the State of Missouri. Michael Skrien, 100 South Central, 2<sup>nd</sup> Floor, Clayton, MO 63105, was opposing counsel. Jury trial. The jury found the defendant guilty of Unlawful Use of a Weapon and Trafficking in the Second Degree and the Court later sentenced the defendant to 25 years imprisonment in the Missouri Department of Corrections.

State v. Barbara Parson, 96CR-1803; November 1996; St. Louis County Circuit Court; The Honorable Kenneth Romines. I was first chair and represented the State of Missouri. Sara Serot, 7900 Carondelet, Clayton, MO 63105, was opposing counsel. Jury trial. The defendant waived a handgun at her ex-boyfriend and his new girlfriend. The jury found the defendant not guilty of Unlawful Use of a Weapon (Exhibiting).

State v. Darnell (Montiago) Taylor, 95CR-5909; July 1996; St. Louis County Circuit Court; The Honorable Kenneth Romines. I was first chair and represented the State of Missouri. Richard Vannoy, 7900 Carondelet, Clayton, MO 63105, was opposing counsel. Jury trial. The jury found the defendant not guilty of Robbery in the First Degree.

State v. David Bewig, 94CR-5172; November 1995; St. Louis County Circuit Court; The Honorable Kenneth Romines. I was first chair and represented the State of Missouri. Craig Kessler, 103 South Meramec, Clayton, MO 63105, was opposing counsel. Jury trial. The jury found the defendant guilty of DWI – Persistent Offender, and the Court later sentenced the defendant to 4 years imprisonment in the Missouri Department of Corrections.

State v. Bruce Tipton, 94CR-4213; St. Louis County Circuit Court; The Honorable Kenneth Romines. I was first chair and represented the State of Missouri. Doug Hartig, 7900 Carondelet, Clayton, MO 63105, was opposing counsel. Jury trial. The jury found the defendant not guilty of Possession of Equipment with Altered ID Numbers.

11.

I briefed and argued the following death penalty case on behalf of Respondent in the Missouri Supreme Court:

State ex rel. Barry K. Baker, Relator v. The Honorable Larry Kendrick, Respondent, 136 S.W.3d 491 (Mo. banc 2004). A St. Louis County jury found the defendant guilty of Murder in the First Degree but was unable to agree on punishment. Respondent trial court ordered a new penalty-phase trial only. Relator filed a writ of prohibition to bar a new penalty-phase trial. The Court made its preliminary writ absolute, which barred a new penalty-phase trial, and ordered that Respondent's only option was to impose a sentence of life imprisonment without eligibility for probation or parole.

I also briefed the following two cases (arising from the same death penalty case) on behalf of Respondent in the Eastern District of the Missouri Court of Appeals and the Missouri Supreme Court:

In State ex. rel. Gregory Bowman, Relator, v. The Honorable David Vincent, Respondent, ED92620 and SC89984 (2009), Relator filed a petition for writ of prohibition to bar admission of other alleged bad acts and Relator's statements. As first chair, I briefed the case and drafted and filed the suggestions in opposition to the petition. The Supreme Court denied the writ.

In State ex. rel. Gregory Bowman, Relator, v. The Honorable David Vincent, Respondent, ED92619 and SC89985 (2009), Relator filed a petition for writ of prohibition regarding Relator's motion to suppress DNA evidence. As first chair, I briefed the case and drafted and filed the suggestions in opposition to the petition. The Supreme Court denied the writ.